

Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTONIO ZACARIAS-MORALES,
a/k/a/ ANTONIO CISNEROS,

Defendant.

NO. CR04-575JCC

ORDER CONTINUING
TRIAL DATE

The Court has considered the stipulated motion of the parties requesting a continuance of the trial to July 25, 2005. The Court finds as facts the facts stipulated to by counsel in that document, including the following:

1. Through due diligence, counsel for the defendant requires additional time in which to review the discovery, including electronic discovery, produced by the government.

2. Through no fault of the parties, some of the discovery produced by the government in electronic format was unable to be accessed by defense counsel. The investigative agency recreated and reproduced this discovery in a format that may be accessed by defense counsel with his equipment. Further, the investigative agency located and immediately produced another audiocassette recording, which contains the recorded statements of the defendant at a lengthy undercover meeting. This audio recording was

1 delivered to defense counsel on or about June 21, 2005, as soon as it was received by the
2 U.S. Attorney's Office.

3 3. The parties are working through the discovery issues in good faith.

4 4. The parties agree that a short continuance of the trial will allow sufficient
5 time for defense counsel to review and analyze all of the electronic discovery.

6 5. The parties agree that it is appropriate for this Court to enter an order
7 extending the speedy trial time under 18 U.S.C. Section 3161(h)(8) through July 25, 2005,
8 and that the ends of justice served by granting the requested extension of time outweigh
9 the best interests of the public and the defendant in a speedy trial.

10 6. The Court therefore finds good cause for an extension of the speedy trial
11 time under 18 U.S.C. Section 3161(h)(8).

12 THEREFORE, it is hereby ORDERED that the trial is continued to
13 July 25, 2005.

14 It is further ORDERED that the period of delay from July 11, 2005, until
15 July 25, 2005, is excludable time pursuant to 18 U.S.C. Section 3161(h).

16 DATED this ___28th_ day of June, 2005.

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19 _____
20 JOHN C. COUGHENOUR
21 UNITED STATES DISTRICT JUDGE

22 Presented by:

23 s/ Janet Freeman
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s/ John W. Lundin (per telephonic approval)
JOHN W. LUNDIN

1 Counsel for Defendant

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